

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Case No. 3:07-MD-1827 SI
MDL No. 1827

This Document Relates to:

Indirect-Purchaser Class Action:

State of Missouri, et al. v. AU Optronics Corporation, et al., Case No. 10-cv-3619;

State of Florida v. AU Optronics Corporation, et al., Case No. 10-cv-3517; and

State of New York v. AU Optronics Corporation, et al., Case No. 11-cv-0711.

DECLARATION OF AMY LAKE OF
RUST CONSULTING, INC.,
DISTRIBUTION ADMINISTRATOR,
REGARDING DISTRIBUTION OF
SETTLEMENT FUND

I, Amy Lake, declare as follows:

1. I am employed as a Client Services Director at Rust Consulting, Inc. ("Rust") (as used herein, "Rust" includes its sister company, Kinsella Media, Inc.). I am over twenty-one (21) years of age and am not a party to the above-captioned actions ("the Actions"). I have personal knowledge of the facts set forth herein, and, if called as a witness, could and would testify competently thereto.

2. Rust was retained by Co-Lead Counsel for the Indirect Purchaser Plaintiff Class (“the Class”) pursuant to the “Order Granting Preliminary Approval of Combined Class, *Parens Patriae*, and Governmental Entity Settlements” (dated January 26, 2012), and the “Order Granting Preliminary Approval of Combined Class, *Parens Patriae*, and Governmental Entity Settlements with AUO, LG Display and Toshiba Defendants” (dated July 31, 2012), to serve as the Settlement Notice and Claims Administrator.

3. I submit this Declaration to provide the Court with information about claims administration in connection with the settlement of the Actions (“the Settlement”). As used herein, “Class” and “Class Member(s)” include the *parens patriae* group members.

4. Rust was engaged to, among other things, distribute the Settlement Fund to Class Members, to reissue distributions to Class Members, and to distribute the uncashed Funds to Court approved claims. Rust has served as the central contact point for Class Members’ and potential Class Members’ inquiries, communications and claims in this Settlement.

Total Amount of Timely Claims Processed

5. Pursuant to the Plan of Allocation, Rust distributed 229,972 payments and wires on October 24, 2014 for a total of \$707,434,198.97 to class members with a valid claim submission. A total of 48 wires for \$652,500.00 were successfully sent to Class Representatives.

6. The total amount distributed of \$707,434,198.97 included:

- 199,639 checks cleared totaling \$438,143,975.20
- 2,669 bank wires completed totaling \$258,082,173.65
- 15,654 checks reissued and cleared totaling \$6,225,133.32
- 10,078 original checks remain uncashed totaling \$2,838,165.54
- 1,932 reissued checks remain uncashed totaling \$2,144,751.26

7. After the initial distribution, Rust made payments for tax administration totaling \$18,621.56. Interest earned on the escrow account totaled \$1,612,767.04 with an additional \$28,779.69 being earned on a separate distribution account. Interest was added to the main distribution account and is included in the total of ‘residual funds’ noted in paragraph 12.

8. After receiving undeliverable mail, Rust honored forwarding requests and provided a trace which resulted in a total of 17,586 checks being reissued. Of those checks reissued, 15,654 reissued payments have cleared totaling \$6,225,133.32, with 1,932 reissued settlement payments remaining uncashed totaling \$2,144,751.26.

Additional Payments to Underpaid/Unpaid Claims

9. Rust has been collecting reports of claims filed prior to the June 6, 2014 deadline that were either underpaid or unpaid based on the documentation originally submitted. These claims have now been investigated and resolved, and Rust recommends payment of the following claims for a total additional distribution of \$2,125,026.74:

A) Timely Filed/Audit Completed: 24 Hour Fitness \$44,403.29

B) Timely Filed/Additional Detail Provided: Oak Point Partners \$472,649.32

C) Timely Filed/Deficiency letters not received by claimant/Audit completed:
Solfanelli Claims \$1,380,285.62

D) Timely Filed/Detail reviewed to determine 11 underpaid claims: \$11,656.26

E) Additional Reissue Requests for Timely Filed claims: \$216,032.25

Rust's Costs of Claims Administration

10. Prior to the distribution, Rust fees were estimated and monies were set aside in those estimated amounts. Rust has invoiced \$506,634.18 for work completed, and estimates that an additional \$38,000.00 will be incurred for final distribution and administration tasks. Attached hereto as Exhibit A is a copy of Rust's statement of invoices for current disbursement and administration expenses already incurred totaling \$506,634.18. The invoices include additional charges that were incurred while providing requested services such as: weekly reporting on uncashed checks to individual states; voiding uncashed checks; ongoing reissues; ongoing communication with claimants; and ongoing reporting with the bank and counsel.

Recommended Distribution of Residual Funds

11. Rust received 119 claims between June 7, 2014 and October 6, 2014 which were determined eligible. Rust has calculated and is ready to utilize the remaining balance of

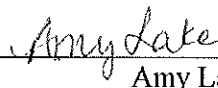
1 \$1,013,777.20 to distribute 119 payments to those eligible late claims. The pro rata amount for
 2 the 119 late claims (221,560 panels), based on the available balance, is \$4.57 per panel
 3 equivalent. For these claims, \$4.57 will be paid for each LCD monitor or notebook computer
 4 and \$9.14 will be paid for each LCD television. This pro rata calculation for late claims is based
 5 on the Court's approval of the previously mentioned claims.

6 12. In summary, we have remaining funds in the bank account of \$3,683,438.12. We
 7 propose utilizing these funds for payment of the following timely submitted items:

8	Bank Balance	\$3,683,438.12
9	Rust Fees	\$ 544,634.18
10	Underpaid:	\$ 11,656.26
11	Unpaid:	\$1,897,338.23
12	Reissue Requests:	\$ 216,032.25
13	Late Claims:	\$1,013,777.20

14 13. Upon approval of the Court, Rust will promptly distribute the payments to the
 15 Claimants referenced in this declaration and plan on voiding all uncashed payments 30 days after
 16 our final reissue mail date.

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 18 I declare under penalty of perjury that the foregoing is true and correct to the best of my
 19 knowledge. Executed this 23rd day of December, 2015, in Minneapolis, Minnesota.

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